## ORDINANCE NO. <u>2-13</u>

## AN ORDINANCE AMENDING THE 2009 UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF FORT SMITH

**WHEREAS**, the Board of Directors passed and approved Ordinance No. 36-09 which adopted the Unified Development Ordinance on May 19, 2009; and,

WHEREAS, it is necessary to amend certain sections of the Unified Development

Ordinance to provide clarity and remove conflicts with other provisions of the municipal code;

and,

**WHEREAS**, the Planning Commission held a public hearing regarding these amendments and recommended on December 11, 2012, that said changes be made; and,

WHEREAS, three (3) copies of January 2013 Amendments to the Unified Development Ordinance have been on file in the Office of the City Clerk of the City of Fort Smith for inspection and review by the public prior to the passage of this Ordinance; and,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH THAT:

**SECTION 1:** The January 2013 Amendments to the Unified Development Ordinance Appendix A is hereby adopted.

**SECTION 2:** The codifier shall codify the new sections and amend the existing sections of the Unified Development Ordinance.

**SECTION 3:** It is hereby found and determined that the adoption of these amendments to the Unified Development Ordinance is necessary to alleviate an emergency created by the lack

of regulation of uses of property within the City of Fort Smith so that the protection of the health, safety and welfare of the inhabitants of the City requires that the amendments be effective, and the amendment is hereby made effective, as of the plate of approval of this Ordinance.

PASSED AND APPROVED THIS 3 DAY OF January, 2013

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:

## JANUARY 2013 AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE

Public Administration - Government	School, technical or trade	School, business professional	Primary and secondary school	Preschool	Nursery school	Library or public arts complex	Fine art and performance education	College, university, or seminary	Educational Services	Education, Public Administration, Health Care and Other Institutions	Park or playground (public and nonpublic)	Natural and Other Recreational Parks	Camps, camping, and related establishments	Camps, Camping, and Related Establishments	Water park	Swimming pool	Sports complex/athletic field	Skating rink	Sexually oriented business (see Ft. Smith Muni. Code Sec.14-141)	Pool hall	Miniature golf course	Indoor Games Facility	Fitness studio	Health club	Pistol Range (Indoor)	Golf course	Driving range (outdoor)	Community recreation center	Bowling alley	Fitness, Recreational Sports, Athletic Club	Race track	Private club	Dance hall/night club	Country club	Casino gaming business	Bingo parlor	Convention/Event center	Amusement center (outdoor)	Amusement center (indoor)	Amusement, Sports, or Recreation Establishment	Zoos, botanical gardens, arboreta		P = Permitted Use, C = Conditional Use, A = Accessory Use	Districts
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